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ABSTRACT

Public Law 94-142 requires that local education agencies (LEAs) generating less than $7,500 through the child count formula either submit consolidated applications or use the state education agency (SEA) to provide child services directly. A survey of state directors of special education in 50 states sought to address the status of interagency collaborations among rural school districts. Thirty-six of the states have legislated or regulated systems of collaboration among their local education authorities. Authorization for the systems are categorized under four legal processes: intermediate education units or boards of educational cooperatives, statutorily established consortia/cooperatives, state board of education-regulated centers or cooperatives, and other consolidated applications. School districts have developed interagency agreements not only to meet the $7,500 minimum provision but also to facilitate free, appropriate public education. Fifty-two percent of the SEAs were very satisfied with the ability of their present systems to address Public Law 94-142 compliance issues. An analysis of the perceived strengths and weaknesses among the types of collaborative systems identified seven clusters of positive characteristics and four negative characteristics. Implications for planning are also noted. (JDD)

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Interagency Collaboration Among Rural Special Education Programs: How Is It Done and Is It Working

Public Law 94-142 requires that local education agencies (LEAs) generating less than $7,500 through the child count formula under the Education of the Handicapped Act-Part B (EHA-B) either (a) submit consolidated applications or (b) use the State Education Agency (SEA) to provide child services directly [20 U.S.C. Sec. 1414 c(1) (2) (A) (B) (C)]. Although all fifty states and the trust territories are affected by the requirement, limited information is available as to the mechanisms used by different SEAs to meet the minimum allocation requirement. This study responds to the information needs of rural educators, policy makers, and legislators seeking descriptive data addressing the status of existing interagency collaborations among rural school districts across states. The researchers surveyed the state directors of special education in all states and trust territories. The study was guided by the following four research questions:

1. How are LEA collaborative services provided and what are the legal authorizations for such collaborative services?
2. When were LEA collaboratives enacted in relation to Public Law 94-142?

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3. What are the SEAs' levels of satisfaction with existing collaborative systems among their LEAs?
4. What do SEAs perceive as the strengths and weaknesses of the systems in their states?

Study Design

The authors, in collaboration with the New Mexico State Department of Education, Special Education Unit, developed and disseminated, via telecommunications, survey forms to all fifty states and seven trust territories in early November 1987. Follow-up telephone interviews were conducted with state education agencies (SEAs) not responding by mid-December. The surveys and telephone follow-up communications culminated in a 100% response rate from the fifty states.

Initial data received from trust territories suggest that territories generally function as single school districts (e.g., Washington D.C., Guam), and that it would not benefit the study to pursue regional collaborative information from the trust territories. Based on these early findings, follow-up activities were discontinued with the trust territories, and the study was limited to the fifty states.

Preliminary findings, which follow, identify the number of states by the type of collaborative systems that are in place for each state and analyze the systems by: (a) authoritative base, (b) increase in state efforts toward LEA collaboratives since enactment of Public Law 94-142, (c) SEA satisfaction with existing systems, and (d)

characteristics of collaboratives identified as "very satisfactory" by respective SEAs.

The terms "collaborative effort" and "collaborative" are used inclusively in this study to mean any formalized system of cooperation between or among school districts (LEAs) along the administrative continuum from loosely knit inter-district agreements to legislated intermediate education units (IEUs) and boards of educational cooperatives (BOCES). Reference to any particular systems of collaboration, exclusively, are specifically named.

Primary Authoritative Bases for State Collaborative Systems

States are clearly obligated to insure free appropriate public education in all school agencies within their respective jurisdictions whether LEAs are located in a rural isolated setting or an urban site. This obligation of states to assure quality services regardless of location has resulted in some thirty-six states (72%) legislating or regulating systems of collaboration among their LEAs.

Authorization for these states' collaborative systems, for analysis purposes, are categorized under four legal processes: (a) IEUs or BOCES defined as, "any public authority, other than an LEA, which is under the general supervision of an SEA and established by state law for the purpose of providing free public education on a regional basis" [20 U.S.C. Sec. 1401(22)]; (b) statutorily established consortia/cooperatives which are designed to provide participating LEAs with joint responsibility for implementing programs; (c) state board of education (SBE) regulated centers or cooperatives; and (d)

other consolidated applications under Education of the Handicapped Act-Part B funds. Research by Doris Helge (1984) reviewed five studies by the National Rural Project to ascertain the impact of educational collaboratives on rural education. Results identified four structures similar to the authoritative bases used in this survey of the fifty SEAs, however, the Helge report categorized by function while this study categorizes primarily by governance.

Of the fifty SEAs reporting, thirty-six states (72%) identify state authorized systems. Specifically, twenty-one states (42%) report IEUs or BOCES; ten (20%) identify legislated collaboratives other than IEUs or BOCES; and five (10%) have SBE regulated cooperatives. In addition, eight states (16%) report other authoritative bases such as EHA-B applications; and six states (12%) have no formalized state-authorized systems. Changes in state systems have occurred as recently as 1984, according to respondents. Several SEAs, during interviews, expressed a desire to seek legislation to alter their current systems, but further indicated that the planning stages are just beginning.

Increase in State Efforts Toward LEA Collaboratives

SEAs initially discerned the need to consolidate services for handicapped children at the time that states mandated special education services in the public schools, irrespective of the status of federal legislation. However, to suggest that Public Law 94-142 does not affect collaborative efforts would be to understate the impact of the Education of All Handicapped Children Act--Part B on

service delivery. SEAs that responded to the question regarding initiation dates for the existing systems of LEA collaboration report that sixteen states had IEUs or some other legislated system for consolidating resources among districts (i.e., IEUs and BOCES) prior to the enactment of Public Law 94-142. By 1988, twenty-one states had legislated IEUs or BOCES for an increase of 24% since the enactment of the Law.

The 1988 survey results support earlier findings (Helge, 1981) that school districts and cooperatives have developed interagency agreements not only to meet the $7,500 minimum provision of Public Law 94-142, but to facilitate free, appropriate public eduction.

State Education Agency Satisfaction with Existing Systems

An expressed desire by some SEAs to change current systems implies continued dissatisfaction with some existing systems' abilities to respond to current demands. Questions arise whether or not SEAs are presently satisfied with their established systems for collaboration and, if so, for what reasons. Are there indeed some overriding issues to be considered should a state without a formal system for school district collaboration desire to initiate such a system?

When SEAs were asked if they are: (a) not satisfied, (b) neutral, or (c) very satisfied with the ability of their present systems to address Public Law 94-142 compliance issues; twenty-six SEAs (52%) report that they are "very satisfied"; twelve (24%) are

neutral regarding their systems for LEA collaboration; three (6%) are "not satisfied"; and nine SEAs (18%) did not respond to that particular question.

The most frequently reported mechanism for LEA collaboration is the IEU, with which the twenty-one user SEAs report that 57% are "very satisfied" with their IEU system. Legislated regional cooperative or consortia states report that 60% of the SEAs are highly satisfied with their cooperatives. SBE regulated centers or cooperatives and "other processes", such as SEA contracts with LEAs, have only 40% and 50% of their SEAs rating the systems as highly satisfactory. Of the six states with no guidelines for cooperatives, 33% of the SEAs were satisfied to leave collaborative efforts to the LEAs' initiative.

It appears that no single system for collaboratives emerges as the panacea for all states seeking to satisfactorily meet the requirements of Public Law 94-142. What then are the common characteristics shared among collaborative systems which are rated as highly satisfactory?

Perceived Strengths and Weaknesses in Collaborative Systems Among LEAs

With the percentage of SEAs indicating satisfation with their collaborative systems varying between 40% and 60%, an analysis of the perceived strengths and weaknesses among the systems is useful. Seven clusters of common characteristics surface among systems identified by their SEAs as satisfactorily addressing the compliance issues of Public Law 94-142.

Positive characteristics appear to be: (a) flexibility of configurations, (b) responsiveness to the membership districts regarding services and programs for special-needs children and regular education, (c) planned organizational procedures with representation on policy boards from local member districts, (d) equality of personnel employment benefits between the collaborative and membership districts, (e) capability of the fiscal agent to serve as single purchasing agent for member districts, (f) authorization to receive direct state subsidies for collaborative overhead costs and pupil reimbursements for inter-district classes, and (g) ability to seek federal and state grants.

Common characteristics of concerns or perceived weaknesses of collaboratives, identified as essential for prior planning sessions, fall under four categories: (a) state subsidy, (b) instability, (c) data requirements, and (d) classroom sites.

1. State Subsidy--Collaboratives are not solvent if solely dependent on contracts and funds from LEAs. There needs to be a level of basic state subsidy.
2. Instability--It can be too easy for LEAs to be admitted to or withdraw from a collaborative. SEAs need ways to adjust membership configurations.
3. LEA Requirements--Data requirements from state and federal governments are not directed to collaboratives. SEAs must still go directly to LEAs to monitor.

4. Site Acquisition--Housing for shared inter-district programs can cause dilemmas. These programs need to use LEA classrooms for space to assure least restrictive environment (LRE). Frequently the space available is not the most centralized. Prior planning to establish guidelines for LEA administrators would be a good preventive measure.

Implications for Planning

Previous studies regarding fiscal retrenchment, state education agency coordination efforts, and rural delivery mechanisms identified several constraints to providing cooperative special education and related services. Some of these constraints were due to economics, lack of staff resources, "turf" conflicts, and political ideology (perceived backlash emerging against the costs and demands of special education) (Farrow & Rogers, 1983; Greenan & Phelps, 1980; Helge, 1984; Schenet, 1982; Thomas & Reese, 1982; Weatherman, 1983; & Worthington, 1984).

Responses by the fifty state education agency directors of special education or their staff representatives indicate that the constraints identified in previous studies, in some instances, still remain. The accomodation of prudential concerns and humanitarian forces is a difficult task that pervades education, particularly education for the handicapped (Wiley, 1968; Thomas & Reese, 1982). However, state directors generally concur that collaboration among school districts in a cooperative spirit can indeed enable states and their political subdivisions (SEAs and LEAs) to respond in a highly satisfactory

manner to economic constraints caused by diminishing state resources and perceived concerns over special education demands.

In closing, characteristics of effective collaboration may be found among any of the formal administrative structures for collaboratives; however, the mere presence of collaboratives do not, at the same time, guarantee problem free delivery of service. LEA administrators must be willing to be cooperative and to mutually problem solve. Preplanning for such issues as equity of size, state support, stability of membership, staff employment, and ability of membership configurations to change (e.g., some or all of membership districts may need to participate in only parts of the services which are needed by them in any given year) are essential for effective state legislation, board guidelines, and operational procedures. Attention to the identified positive characteristics and the areas of potential problems prior to the preparation or modification of state legislation may well help SEAs which desire to initiate a structure of LEA collaboratives. These SEAs adherence to the cautions expressed by the respondent SEA directors may assist states avoid structural ambiguities or constraints which limit collaboratives' responsiveness to their member LEAs and the children they serve.

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